

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

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|------------------------|--|
| -----                  |  |
| TANIA MCCLENDON,       |  |
| v.                     |  |
| PHILADELPHIA GAS WORKS |  |
| -----                  |  |

Docket No.:  
Z-01527344

Pennsylvania State Office Bldg.  
Broad & Spring Garden Streets  
13th Floor, Hearing Room Two  
Philadelphia, PA 19130

Wednesday, August 25, 2004  
Commencing at 10:10 a.m.

BEFORE:

ALLISON K. TURNER, Administrative Law Judge

APPEARANCES:

TANIA MCCLENDON,  
PRO SE

LAURETO FARINAS, Esquire  
PGW  
800 West Montgomery Avenue  
Philadelphia, PA 19122  
For the Respondent

**DOCUMENT  
FOLDER**

**DOCKETED**  
SEP 09 2004

REPORTER: Anthony J. Barrett

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**ORIGINAL** PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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JUDGE ALLISON K. TURNER:

Now is the time and place for the initial hearing in the complaint of Tania McClendon versus Philadelphia Gas Works docketed at Z-01527344. It's actually ten minutes after 10:00. We began late because the company and the complainant were having settlement negotiations and rather than interrupt them I decided to wait until they were concluded. As it turns out they are concluded at this point and the company and the complainant have reached a settlement. I should say in the hearing room I have Laureto Farinas, Esquire representing Philadelphia Gas Works and he brought a witness with him and Tania McClendon is also here with her interpreter who is Tampa Swinton (phonetic). Okay. Thank you very much for coming this morning.

MS. SWINTON:

You're welcome.

JUDGE TURNER:

As it turns out --- I hope I'm not repeating myself. There is a settlement and let me ask Mr. Farinas to put that on the record and see then if the complainant agrees, okay?

1                    ATTORNEY FARINAS:

2                    Yes, Your Honor. Thank you. Your Honor,  
3 Ms. McClendon has in fact gracefully agreed to settle  
4 this matter with PGW. The settlement terms are as  
5 follows: We will turn on Ms. McClendon's gas service  
6 tomorrow as it has been off for some time. She will  
7 also enroll in the customer responsibility program.  
8 She has provided with us today all the information  
9 necessary including her proof of income and the Social  
10 Security Cards of each member of her household. Under  
11 the information she's provided, her payments will be  
12 approximately \$163 per month and she's been informed  
13 that as long as she makes her payments on time each  
14 month 1/36th of her outstanding balance which  
15 currently is \$3,903.48 will be forgiven. She has ---  
16 she's indicated through Ms. Swinton that she agrees  
17 with this settlement.

18                    JUDGE TURNER:

19                    Okay. And you therefore are not asking  
20 me to affirm the BCS decision?

21                    ATTORNEY FARINAS:

22                    Actually, no, Your Honor, since we do ---  
23 we found out that she qualifies for CPP.

24                    JUDGE TURNER:

25                    Okay. And there's no additional payment

1 cn arrearages?

2 ATTORNEY FARINAS:

3 That's included in her CRP payments,  
4 includes the \$3 payment on arrearages ---

5 JUDGE TURNER:

6 Okay.

7 ATTORNEY FARINAS:

8 --- which is part of the program.

9 JUDGE TURNER:

10 Okay. And is that a budget payment?

11 ATTORNEY FARINAS:

12 It's a payment made according to her  
13 income level and it's not --- it just covers gas usage  
14 going forward.

15 JUDGE TURNER:

16 So it's not officially a budget payment?

17 ATTORNEY FARINAS:

18 But is a payment pursuant to the rules of  
19 the customer responsibility program.

20 JUDGE TURNER:

21 All right, fine. Thank you. The reason  
22 I was asking those questions is that the Commission at  
23 this point really wants customers to be on budget  
24 plans. However, when they are complying with a  
25 program such as the CRP then the Commission says okay,

1 we just go with that plan and then ---. Okay, if she  
2 does fall off the CRP plan which is unlikely because  
3 her income qualifies her, then she might be put on a  
4 budget, but for now it's just the CRP plan payment.  
5 And you do agree with the settlement as stated?

6 MS. SWINTON:

7 She said yes.

8 JUDGE TURNER:

9 Yes. Okay. In that case Mr. Farinas  
10 you'll be sending in a certificate of satisfaction?

11 ATTORNEY FARINAS:

12 Yes, Your Honor. As well as a letter  
13 reducing the settlement to writing to Ms. McClendon.

14 JUDGE TURNER:

15 Okay. But you don't have to file that  
16 with the Commission.

17 ATTORNEY FARINAS:

18 I do not. I usually don't.

19 JUDGE TURNER:

20 Right. Okay. So --- and we can expect  
21 that by the end of the week?

22 ATTORNEY FARINAS:

23 Yes, yes, Your Honor.

24 JUDGE TURNER:

25 Okay. Thank you very much, Mr. Farinas.

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ATTORNEY FARINAS:

Thank you.

JUDGE TURNER:

Thank you. Thank you for coming in.

\* \* \* \* \*

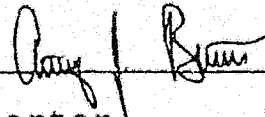
HEARING CONCLUDED AT 10:14 A.M.

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C E R T I F I C A T E

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\_\_\_\_\_  
Court Reporter